

ARBITRATION

Convention signed at Washington February 10, 1908
Senate advice and consent to ratification February 19, 1908
Ratified by the President of the United States February 27, 1908
Entered into force February 27, 1908
Ratified by France March 3, 1908
Ratifications exchanged at Washington March 12, 1908
Proclaimed by the President of the United States March 14, 1908
Extended by agreements of February 13, 1913; ¹ February 27, 1918; ²
and July 19, 1923 ³
Expired February 27, 1928 ⁴

35 Stat. 1925; Treaty Series 490

The Government of the United States of America and the Government of the French Republic, signatories of the Convention for the pacific settlement of international disputes, concluded at The Hague on the 29th July, 1899; ⁵

Taking into consideration that by Article XIX of that Convention the High Contracting Parties have reserved to themselves the right of concluding Agreements, with a view to referring to arbitration all questions which they shall consider possible to submit to such treatment,

Have authorized the Undersigned to conclude the following arrangement:

ARTICLE I

Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two Contracting States, and do not concern the interests of third Parties.

¹ TS 577, *post*, p. 881.

² TS 631, *post*, p. 894.

³ TS 679, *post*, p. 922.

⁴ A new treaty of arbitration, signed at Washington Feb. 6, 1928, entered into force Apr. 22, 1929 (TS 785, *post*, p. 968).

⁵ TS 392, *ante*, vol. 1, p. 230.

ARTICLE II

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that on the part of the United States such special agreements will be made by the President of the United States, by and with the advice and consent of the Senate, and on the part of France they will be subject to the procedure required by the constitutional laws of France.

ARTICLE III

The present Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; it shall become effective on the day of such ratification, and shall remain in force for a period of five years thereafter.

Done in duplicate in the English and French languages, at Washington, this tenth day of February, in the year 1908.

ELIHU ROOT [SEAL]

JUSSERAND [SEAL]